

AMENDED IN ASSEMBLY SEPTEMBER 7, 2005

AMENDED IN ASSEMBLY SEPTEMBER 2, 2005

AMENDED IN ASSEMBLY AUGUST 30, 2005

AMENDED IN ASSEMBLY JUNE 28, 2005

AMENDED IN SENATE MAY 31, 2005

AMENDED IN SENATE APRIL 14, 2005

SENATE BILL**No. 650**

Introduced by Senator Ortiz

**(Coauthors: Senators Alquist, Bowen, Cedillo, Figueroa, and
Torlakson)**

(Coauthors: Assembly Members Chu, Dymally, Jones, Karnette,
Laird, Nation, Ridley-Thomas, and Yee)

February 22, 2005

An act to amend Section 104322 of the Health and Safety Code, relating to prostate cancer, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 650, as amended, Ortiz. Prostate cancer: Improving Access, Counseling, and Treatment for Californians with Prostate Cancer (IMPACT) Program.

Existing law requires the State Department of Health Services to develop, *expand, and ensure* a program to provide, through contracts, *quality* prostate cancer treatment services to low-income uninsured and underinsured men. Pursuant to this requirement, the department has established the Improving Access, Counseling, and Treatment for Californians with Prostate Cancer (IMPACT) Program.

This bill would, instead, require the department to develop and implement a program to provide quality prostate cancer treatment for low-income and uninsured men. It would also impose various requirements upon the program, including prescribed contract requirements.

This bill would require, contingent upon the timely receipt of program data from contractors, the department to report to specified legislative committees, by ~~March 31, 2006, and March 31, 2008,~~ July 1, 2006, its evaluation of the IMPACT Program. The bill would appropriate ~~\$5,000,000~~ \$2,404,000 from the General Fund to the department for purposes of the ~~IMPACT Program~~ prostate cancer treatment services under the program.

This bill would declare that it is to take effect immediately as an urgency statute.

*Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.*

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 104322 of the Health and Safety Code is
- 2 amended to read:
- 3 104322. (a) (1) The State Department of Health Services
- 4 shall develop, ~~expand, and ensure~~ *and implement a program to*
- 5 *provide* quality prostate cancer treatment for low-income and
- 6 uninsured men.
- 7 (2) The department shall award one or more contracts to
- 8 provide prostate cancer treatment through private or public
- 9 nonprofit organizations, including, but not limited to,
- 10 community-based organizations, local health care providers, the
- 11 University of California medical centers, and the Charles R.
- 12 Drew University of Medicine and Science, an affiliate of the
- 13 David Geffen School of Medicine at the University of California
- 14 at Los Angeles. *Contracts awarded, subsequent to the effective*
- 15 *date of the amendments to this section made during the 2005*
- 16 *portion of the 2005-06 Regular Session, pursuant to this*
- 17 *paragraph shall be consistent with both of the following:*
- 18 (A) *Eighty-seven percent of the total contract funding shall be*
- 19 *used for direct patient care.*
- 20 (B) *No less than 70 percent of the total contract funding shall*
- 21 *be expended on direct patient care treatment costs, which shall*

1 *be defined as funding to fee-for-service providers for Medi-Cal*
2 *eligible services.*

3 (3) The contracts described in paragraph (2) shall not be
4 subject to Part 2 (commencing with Section 10100) of Division 2
5 of the Public Contract Code. *Commencing July 1, 2006, those*
6 *contracts shall be entered into on a competitive bid basis.*

7 (4) *It is the intent of the Legislature to support the prostate*
8 *cancer treatment program provided for pursuant to this section,*
9 *and that the program be cost-effective and maximize the number*
10 *of men served for the amount of funds appropriated. It is further*
11 *the intent of the Legislature to ensure that the program has an*
12 *adequate health care provider network to facilitate reasonable*
13 *access to treatment.*

14 (b) Treatment provided under this chapter shall be provided to
15 uninsured and underinsured men with incomes at or below 200
16 percent of the federal poverty level. *Covered services shall be*
17 *limited to prostate cancer treatment and prostate cancer-related*
18 *services. Eligible men shall be enrolled in a 12-month treatment*
19 *regimen.*

20 (c) The department shall contract for prostate cancer treatment
21 services only at the level of funding budgeted from state and
22 other sources during a fiscal year in which the Legislature has
23 appropriated funds to the department for this purpose.

24 (d) Notwithstanding subdivision (a) of Section 2.00 of the
25 Budget Act of 2003 and any other provision of law, commencing
26 with the 2003–04 fiscal year and for each fiscal year thereafter,
27 any amount appropriated to the department for the prostate
28 cancer treatment program implemented pursuant to this chapter
29 shall be made available, for purposes of that program, for
30 encumbrance for one fiscal year beyond the year of appropriation
31 and for expenditure for two fiscal years beyond the year of
32 encumbrance.

33 **SECTION 1.**

34 **SEC. 2.** (a) The State Department of Health Services shall
35 report to the Joint Legislative Budget Committee and the
36 Legislature's fiscal and policy committees by ~~March 31, July 1,~~
37 ~~2006,~~ its evaluation of the Improving Access, Counseling, and
38 Treatment for Californians with Prostate Cancer (IMPACT)
39 Program ~~in existence during the 2005-06 funded by the~~
40 ~~department in the 2004-05 and preceding fiscal years.~~ This report

1 shall include an overall evaluation of the program and service
2 delivery model, ~~as well as a cost-benefit analysis of the program.~~

3 The report shall include, but not be limited to, the following:

4 (1) The number of patients receiving treatment through the
5 program.

6 (2) Demographic information about the patients in the
7 program, including race/ethnicity, income, and age.

8 (3) The cost per patient receiving treatment through the
9 program.

10 (4) The types of treatment services and other services that
11 patients received.

12 ~~(5) The locations where treatment and other services were~~
13 ~~received.~~

14 ~~(6) The one-year survival rate of men receiving treatment~~
15 ~~through the program.~~

16 ~~(7)~~

17 (5) The number of employees and contractors within the
18 department funded through the program.

19 ~~(8)~~

20 (6) The number of employees and contractors that are
21 employed by or contracting with the University of California that
22 are funded through the program, including the amount of funding
23 allocated for direct patient care, indirect patient care, and
24 administrative functions.

25 ~~(b) The department shall report to the Joint Legislative Budget~~
26 ~~Committee and the Legislature's fiscal and policy committees by~~
27 ~~March 31, 2008, its evaluation of the program implemented~~
28 ~~pursuant to Section 104322 of the Health and Safety Code. The~~
29 ~~evaluation shall include the information described in subdivision~~
30 ~~(a).~~

31 *(b) Subdivision (a) shall be contingent upon the timely*
32 *submission by the program contractors of the needed data as*
33 *outlined in the 2004-05 IMPACT Program contract.*

34 ~~SEC. 2.~~

35 ~~SEC. 3. The sum of five million dollars (\$5,000,000) two~~
36 ~~million four hundred four thousand dollars (\$2,404,000) is~~
37 ~~hereby appropriated from the General Fund to the State~~
38 ~~Department of Health Services, for the 2005-06 fiscal year, for~~
39 ~~purposes of the IMPACT Program implemented prostate cancer~~

1 *treatment services* pursuant to Section 104322 of the Health and
2 Safety Code.

3 ~~SEC. 3.~~

4 *SEC. 4.* This act is an urgency statute necessary for the
5 immediate preservation of the public peace, health, or safety
6 within the meaning of Article IV of the Constitution and shall go
7 into immediate effect. The facts constituting the necessity are:

8 In order for men diagnosed with prostate cancer currently on
9 the IMPACT program waiting list for prostate cancer treatment
10 services to receive these services, it is necessary that this act go
11 into immediate effect.

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